

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA ,

Petitioner,

v.

GREGORY PAIGE,

Respondent.

Case No. CR92-1781B

ORDER DENYING MOTION
FOR APPOINTMENT OF
COUNSEL

This matter comes before the court on defendant's request for appointment of counsel. Dkt. 155. The court has considered the pleadings and the file herein.

On May 12, 1993, petitioner was sentenced in this court (Dkt. 52), and judgment was entered May 25, 1993 (Dkt. 67). On May 16, 2005, defendant filed a Notice of Appeal of the judgment entered on May 25, 1993. Dkt. 136. On May 16, 2005, defendant filed a motion, requesting that the court appoint counsel to represent him. Dkt. 137. Defendant is now proceeding *pro se*. See Dkt. 149. On June 3, 2005, the court denied the motion for appointment of counsel. Dkt. 150.

On June 13, 2005, defendant again filed a motion for appointment of counsel, stating that he does not know how to successfully file his appeal unless counsel is appointed for him. Dkt. 155.

18 U.S.C. 3006A(a) provides the court with authority to appoint counsel in certain instances. In this case, however, as the court has already informed defendant, judgment was entered in this criminal case in 1993; the time for appealing the conviction has long since passed. See RAP 4(b). Appointment of

1 counsel in this case is not warranted and defendant's renewed request for appointment of counsel should
2 be denied.

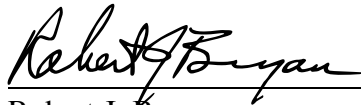
3 The court notes that defendant has filed an **appeal** of his 1993 judgment and sentence. He has not,
4 at this point, filed a motion to vacate, correct, or set aside his judgment under 28 U.S.C. § 2255.
5 Accordingly, appointment of counsel so that defendant can pursue a collateral attack on his judgment and
6 sentence is not before the court.

7 Therefore, it is hereby

8 **ORDERED** that petitioner's Request for Counsel (Dkt. 155) is **DENIED**.

9 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any
10 party appearing *pro se* at said party's last known address.

11 DATED this 21st day of June, 2005.

12
13 

14 Robert J. Bryan
15 United States District Judge
16
17
18
19
20
21
22
23
24
25
26
27
28